

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 14-316 (1) (RHK/FLN)

Plaintiff,

ORDER

v.

Malcolm Jamal Lyons,

Defendant.

On January 23, 2015, Magistrate Judge Franklin L. Noel filed a Report and Recommendation (Doc. No. 54) in the above-referenced case recommending that the Motions of the Defendant to 1) Suppress Statements, Admissions and Answers (Doc. No. 18), 2) Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 19), 3) Suppress Any Evidence Obtained as a Result of Any Illegal Searches or Seizures (“a Supplemental Motion”) (Doc. No. 38), and 4) Suppress Any Evidence Obtained as a Result of Any Illegal Searches or Seizures (a “Second Supplemental Motion”) (Doc. No. 49) be denied.

Objections to the Report and Recommendation were filed by the Defendant (Doc. No. 57) and by the United States (Doc. No. 56).

The Court has conducted a de novo review of the Objections; that review satisfies the undersigned that each of Magistrate Judge Noel’s recommendations is fully supported by controlling legal authorities and the factual record before him.

Accordingly, **IT IS ORDERED:**

1. The Objections¹ (Doc. Nos. 56 and 57) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 54) is **ADOPTED**;
3. Defendant's Motion to Suppress Statements, Admissions and Answers (Doc. No. 18) is **DENIED**;
4. Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure (Doc. No. 19) is **DENIED**;
5. Defendant's Supplemental Motion to Suppress Any Evidence Obtained as a Result of Any Illegal Searches or Seizures (Doc. No. 38) is **DENIED**; and
6. Defendant's Second Supplemental Motion to Suppress Any Evidence Obtained as a Result of Any Illegal Searches or Seizures (Doc. No. 49) is **DENIED**.

Dated: March 6, 2015

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge

¹ The United States has also filed an "Objection" to the Report and Recommendation (Doc. No. 56). In the Objection, the United States acknowledges that it "obviously concurs with the recommendation," but files its objection "in order to preserve all of its arguments in opposition to the defendant's motion to suppress in the event of a future appeal." The Court declines to address this issue.